

1      Gregory J. Yu (State Bar No. 133955)  
2      GLOBAL LAW GROUP  
3      2015 Pioneer Court, Suite P-1  
4      San Mateo, CA 94403  
5      Telephone: (650) 570-4140  
6      Facsimile: (650) 570-4142  
7      E-mail: glgroup [at] inreach [dot] com

5 | Attorney for Plaintiffs and Proposed Class and Subclasses

6

7

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

10

11 KINDERSTART.COM LLC, a California  
12 limited liability company, on behalf of itself and  
all others similarly situated,

13 | Plaintiffs,

14

5 | GOOGLE, INC., a Delaware corporation,

16 | Defendant.

Case No. C 06-2057 JF

**STIPULATION AND [PROPOSED]  
ORDER RE DECLARATIONS  
SUBMITTED *IN CAMERA* PER  
JANUARY 22, 2007 COURT ORDER**

8 Subject to approval of this Court, the parties hereby stipulate to the following:

19       1. On October 20, 2006, Defendant Google, Inc. (“Google”) filed a motion for  
20 sanctions against Plaintiff KinderStart.com LLC (“KinderStart”) and its legal counsel Gregory J.  
21 Yu for sanctions under Rule 11 (“Rule 11 Motion”) of the Federal Rules of Civil Procedure. On  
22 January 22, 2007, the Court issued an order (the “Rule 11 Order”) that Gregory J. Yu submit to  
23 the Court *in camera* declarations (“Rule 11 Declarations”) to support certain allegations in the  
24 Second Amended Complaint by February 6, 2007. The parties agree, subject to Court approval,  
25 that the original deadline of February 6, 2007 be extended by 14 calendar days to February 20,  
26 2007 for submitting Rule 11 Declarations pursuant to the Rule 11 Order. KinderStart’s legal  
27 counsel has communicated to Google’s legal counsel that one of the Rule 11 declarants is out of  
28 the United States until February 8, 2007. Accordingly, Google is willing to stipulate to an

STIPULATION AND [PROPOSED] ORDER  
RE DECLARATIONS PURSUANT TO  
GOOGLE'S RULE 11 MOTION

1 extension for KinderStart to submit all Rule 11 declarations to the Court by February 20, 2007.

2       2. KinderStart does not believe that the *in camera* submission of declarations  
 3 pursuant to the Rule 11 Order necessarily contemplates that Google's legal counsel is entitled to  
 4 receive and view copies of the same. Nonetheless, KinderStart agrees that Google's outside  
 5 legal counsel should be permitted to view the Rule 11 Declarations pursuant to this Stipulated  
 6 Order to enable it to further prosecute the Rule 11 Motion on behalf of Google.

7       3. On the same day that KinderStart submits to the Court *in camera* the Rule 11  
 8 Declarations as required by the deadline in the Rule 11 Order, subject to any extension ordered  
 9 herein, KinderStart and its legal counsel will deliver a single copy of all such declarations to the  
 10 offices of Google's outside legal counsel bearing the designation "CONFIDENTIAL –  
 11 ATTORNEY'S EYES ONLY." The designation "CONFIDENTIAL – ATTORNEY'S EYES  
 12 ONLY" shall mean Google's current attorneys of record at Wilson Sonsini Goodrich & Rosati  
 13 and shall not include any other legal counsel now or later associated with such counsel. Such  
 14 counsel to Google includes the paralegal, clerical and secretarial staff employed by counsel.  
 15 Such designation herein shall mean that no other person or entity, including expert witnesses or  
 16 outside consultants, may have access to such material or view any portion thereof, unless so  
 17 ordered by the Court upon a showing of good cause.

18       4. Nothing herein shall be deemed to: (a) constitute, govern or affect any subsequent  
 19 protective order between the parties in this action as to other materials, (b) alter the  
 20 confidentiality or nonconfidentiality of any disclosed material, or (c) alter any existing  
 21 obligations or the absence thereof of either party or any declarant.

22       5. This order shall survive the final termination of this action. When the parties'  
 23 respective counsel agree that the Rule 11 Motion and KinderStart's Rule 11 cross-motion have  
 24 concluded, outside counsel for Google will assemble and return all disclosed Rule 11  
 25 Declarations and all copies of the same to Plaintiffs' legal counsel, or shall certify destruction of  
 26 the same. The Court shall retain jurisdiction to enforce the terms of this stipulation and order.

27       \\\\

28       \\\\

STIPULATION AND ~~PROPOSED~~ ORDER  
 RE DECLARATIONS PURSUANT TO  
 GOOGLE'S RULE 11 MOTION

1 Dated: February 1, 2007

GLOBAL LAW GROUP

2

3

By: \_\_\_\_\_/s/  
Gregory J. Yu, Esq.  
Attorney for Plaintiff KinderStart.com LLC and  
for the proposed Class and Subclasses

4

5

6

7

8

9

10

11

**ECF CERTIFICATION**

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

Dated: February 1, 2007

WILSON, SONSINI, GOODRICH & ROSATI

2

3

4

5

6

7

8

9

10

11

Dated: February 1, 2007

GLOBAL LAW GROUP

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

By: \_\_\_\_\_/s/  
Gregory J. Yu, Esq.  
Attorney for Plaintiff KinderStart.com LLC and  
for the proposed Class and Subclasses

**-[PROPOSED]- ORDER**

STIPULATION AND ~~[PROPOSED]~~ ORDER  
RE DECLARATIONS PURSUANT TO  
GOOGLE'S RULE 11 MOTION

1 PURSUANT TO STIPULATION, IT SO ORDERED. Plaintiff KinderStart.com LLC  
2 shall have until February 20, 2007 to submit Rule 11 Declarations pursuant to this Court's Order  
3 of January 22, 2007. Plaintiff shall provide copies of such declarations to counsel for Google on  
4 a "CONFIDENTIAL – ATTORNEY'S EYES ONLY" basis.

5  
6 Dated: February 6, 2007

  
7 JEREMY FOGEL  
8 United States District Judge

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 This Order has been served upon the following persons:

2 Colleen Bal cbal@wsgr.com, eminjarez@wsgr.com

3 David H. Kramer dkramer@wsgr.com, dgrubbs@wsgr.com

4 Bart Edward Volkmer , Esq bvolkmer@wsgr.com

5 Gregory John Yu glgroup@inreach.com, gjy@abcye.com

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28